

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:	)	Case No:	19-06979
Jeffrey Schwartz)		
Harriett Schwartz	)	Chapter:	Chapter 13
)		
Debtors	)	Judge:	David D. Cleary

NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE that on **May 3, 2021 at 1:30 p.m.**, I will appear before the Honorable David D. Cleary, or any judge sitting in that judge's place, and present the **MOTION TO MODIFY CONFIRMED PLAN**, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is 161 122 6457 and the password is Cleary644. The meeting ID and password can also be found on the judge's page on the court's website.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

By: /s/ Dale Riley

Dale Riley
Geraci Law L.L.C.
55 E. Monroe Street #3400
Chicago, Illinois 60603
312.332.1800
ndil@geracilaw.com

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:	)	Case No:	19-06979
Jeffrey Schwartz)		
Harriett Schwartz	)	Chapter:	Chapter 13
)		
Debtors	)	Judge:	David D. Cleary

CERTIFICATE OF SERVICE

I, Dale Riley, hereby certify that I served a copy of this Notice along with the aforementioned document upon the listed parties, by causing the same to be mailed in a properly addressed envelope, postage prepaid, for 55 E. Monroe, Suite 3400, Chicago, Illinois, on 4/9/2021.

LIST OF PARTIES SERVED

Marilyn O. Marshall, 224 S. Michigan Ave. #800, Chicago, IL 60604

Office of the U.S. Trustee, 219 S. Dearborn, Suite 873, Chicago, Illinois 60604

Jeffrey & Harriett Schwartz, 1121 Little Falls Dr., Elgin, IL 60120

ALL CREDITORS ON THE ATTACHED LIST

Advocate Medical Group
C/O State Collection Service
PO Box 6250
Madison WI 53716-0250

Cavalry Portfolio SPV I
Bankruptcy Dept
PO Box 1030
Hawthorne NY 10532

Exxnmobil/CBNA
Attn: Bankruptcy Dept.
Po Box 6497
Sioux Falls SD 57117

AMEX
Attn: Bankruptcy Dept.
Po Box 297871
Fort Lauderdale FL 33329

Clerk, Third Mun Div
19 M3 000618
2121 Euclid Ave #121
Rolling Meadows IL 60008

HSBC BANK Nevada N.A.
C/O JH Portfolio DEBT EQUI
5757 Phantom Dr Ste 225
Hazelwood MO 63042

Associates in Psychiatry and Counseling
C/o Merchants Credit Guide Co.
223 W. Jackson Blvd., Ste. 900
Chicago IL 60606

Keith Scott Schindler
Bankruptcy Dept.
1990 E. Algonquin, #180
Schaumburg IL 60173

Illinois Gastro Enterology Group
C/O Keynote Consulting
220 W Campus Drive # 102
Arlington Heights IL 60004

Bayview Financial LOAN
Attn: Bankruptcy Dept.
4425 Ponce De Leon Blvd
Coral Gables FL 33146

CEP America Illinois LLP
C/O Wakefield & Associates
PO Box 59003
Knoxville TN 37950

LANE BRYANT RETAIL/SOA
Attn: Bankruptcy Dept.
450 Winks Ln
Bensalem PA 19020

Clerk, Chancery
18 CH 15032
50 W. Washington St., Room 802
Chicago IL 60602

Chase CARD
Attn: Bankruptcy Dept.
Po Box 15298
Wilmington DE 19850

Midland Funding, LLC
Bankruptcy Department
8875 Aero Drive, # 200
San Diego CA 92123

Wirbicki Law
Bankruptcy Dept.
33 W. Monroe, #1140
Chicago IL 60603

MRS Associates of New Jersey
Bankruptcy Dept.
1930 Olney Ave.
Cherry Hill NJ 08003

Clerk, Third Mun Div
18 M3 007678
2121 Euclid Ave #121
Rolling Meadows IL 60008

Bright Light Medical Imaging
Billing Department
31 S Arlington Heights Rd
Elk Grove Village IL 60007

Chase MTG
Attn: Bankruptcy Dept.
Po Box 24696
Columbus OH 43224

Blitt and Gaines, PC
Bankruptcy Dept.
661 Glenn Ave.
Wheeling IL 60090

Cabelas Club
C/O Portfolio Recovery Assoc.
120 Corporate Blvd., Ste. 100
Norfolk VA 23502

CITI
Attn: Bankruptcy Dept.
Po Box 6190
Sioux Falls SD 57117

Midwest Bone and Joint
C/O ATG Credit, LLC
PO Box 14895
Chicago IL 60614

Capital One
Bankruptcy Dept.
PO Box 30285
Salt Lake City UT 84130

Comenitybank/Meijer
Attn: Bankruptcy Dept.
Po Box 182789
Columbus OH 43218

Portfolio Recovery Assoc.
Riverside Commerce Center
120 Corporate Blvd., Ste. 100
Norfolk VA 23502

CAP1/Bstby
Attn: Bankruptcy Dept.
26525 N Riverwoods Blvd
Mettawa IL 60045

Discover FIN SVCS LLC
Attn: Bankruptcy Dept.
Po Box 15316
Wilmington DE 19850

Clerk, Third Mun Div
19 M3 000539
2121 Euclid Ave #121
Rolling Meadows IL 60008

Capital ONE N.A.
C/O Midland Funding
2365 Northside Dr Ste 30
San Diego CA 92108

Elgin Internal Medical Associates
C/O Merchants Credit Guide Co.
223 W. Jackson Blvd., Ste. 900
Chicago IL 60606

Blitt and Gaines, PC
Bankruptcy Dept.
661 Glenn Ave.
Wheeling IL 60090

Capital ONE, N.A.
Attn: Bankruptcy Dept.
Po Box 26625
Richmond VA 23261

Elgin Internal Medical Associates
745 Fletcher Dr
Elgin IL 60123

Quest Diagnostics
C/O Credit Collection Services
PO Box 55126
Boston MA 02205

Quest Diagnostics
Attn: Bankruptcy Dept
PO Box 740397
Cincinnati OH 45274

Syncb/ASHLEY HOMESTORE
Attn: Bankruptcy Dept.
950 Forrer Blvd
Kettering OH 45420

Syncb/BP DC
Attn: Bankruptcy Dept.
Po Box 965024
Orlando FL 32896

Syncb/CAR CARE DISC TI
Attn: Bankruptcy Dept.
Po Box 965036
Orlando FL 32896

Syncb/HOME SHOPPING
Attn: Bankruptcy Dept.
Po Box 965005
Orlando FL 32896

Syncb/JTV
Attn: Bankruptcy Dept.
Po Box 965036
Orlando FL 32896

Syncb/SAMS CLUB DC
Attn: Bankruptcy Dept.
Po Box 965005
Orlando FL 32896

Syncb/SCORE REWARDS DC
Attn: Bankruptcy Dept.
Po Box 965005
Orlando FL 32896

Synchrony BANK
C/O Portfolio Recov Assoc
120 Corporate Blvd Ste 1
Norfolk VA 23502

Synchrony BANK
C/O Midland Funding
2365 Northside Dr Ste 30
San Diego CA 92108

Synchrony BANK
C/O Cavalry Portfolio SERV
Po Box 27288
Tempe AZ 85285

TD BANK USA/Targetcred
Attn: Bankruptcy Dept.
Po Box 673
Minneapolis MN 55440

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In Re: Jeffrey Schwartz Harriett Schwartz Debtors)))))	Case No: 19-06979 Chapter: Chapter 13 Judge: David D. Cleary
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MOTION TO MODIFY CONFIRMED PLAN

NOW COME the Debtors, Mr. & Mrs. Jeffrey Schwartz (the “Debtors”), by and through their attorneys, Geraci Law L.L.C., to present their **MOTION TO MODIFY CONFIRMED PLAN**, and state as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C. 1334 and this is a “core proceeding” under 28 U.S.C. 157(b)(2).
2. The Debtors filed their Petition for Relief and plan under Chapter 13 of the U.S. Bankruptcy Act on 03/13/2019.
3. The Debtors’ plan was confirmed by the Court on 06/10/2019 including a provision requiring the Debtors to turn their federal tax refunds in excess of \$1,200 over to the Trustee as additional payments into the plan.
4. The Debtors received a refund of \$5,005 for tax year 2020 of which \$3,805 is due to the Trustee.
5. The deck on the Debtor’s home is over 30 years old and in need of repairs estimated to cost \$2,523.13. The patio door leading to the deck is also in need of replacement at an estimated cost of \$1,971. See Exhibit A.
6. The Debtors are unable to afford these expenses while also maintaining their Chapter 13 plan payments without using their tax refund.
7. For the reasons stated above, it is necessary for the successful completion of the Debtors’ plan to permit the Debtors to keep a total of \$4,494.13 of their 2020 tax refund.

WHEREFORE THE DEBTORS, Mr. & Mrs. Jeffrey Schwartz, respectfully request this Honorable

Court enter an order:

1. Permitting the Debtors to keep a total of \$4,494.13 of their 2020 tax refund.
2. Any other relief the court deems proper.

By: /s/ Dale Riley
Dale Riley

Attorneys for the Debtors

Geraci Law L.L.C.

55 E. Monroe Street #3400

Chicago, Illinois 60603

(Ph): 312.332.1800 (Fax): 877.247.1960